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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 REQUEST FROM THE DISTRICT COURT  
OF LUGANO, SWITZERLAND FOR  
12 INFORMATION FROM OATH HOLDINGS  
13 INC.

14 RE Marta Jankovska v. PKB Privatbank S.A.,  
15 REF NO. OR.2016.233

MISC. NO.

**DECLARATION OF AUSA MICHAEL T. PYLE  
IN SUPPORT OF APPLICATION FOR ORDER  
PURSUANT TO 28 U.S.C. § 1782**

16 I, Michael T. Pyle, declare:

- 17 1. I am an Assistant United States Attorney in the Northern District of California.
- 18 2. This declaration is submitted in support of the United States' application for an order  
19 pursuant to 28 U.S.C. § 1782 concerning a request made by the District Court of Lugano, Switzerland  
20 for information from Oath Holdings Inc. ("Oath Holdings").
- 21 3. By means of an e-mail I sent on June 27, 2019 to the legal process e-mail for Oath Holdings  
22 (legal.poc@verizonmedia.com), I sent Oath Holdings a letter asking whether Oath Holdings would  
23 provide the requested information voluntarily. A true and correct copy of my June 27, 2019 e-mail and  
24 letter is attached to my declaration as Exhibit 1. My e-mail enclosed a copy of the letter of request (only  
25 the English translation) made by the District Court of Lugano, Switzerland. A true and correct copy of  
26 the entire letter of request is attached to my declaration as Exhibit 2.
- 27 4. Although my letter had requested a response from Oath Holdings by July 16, 2019, I did not  
28 receive any response by that date. However, on August 13, 2019, I received an e-mail from Oath

DECLARATION OF MICHAEL T. PYLE IN SUPPORT OF APPLICATION FOR ORDER PURSUANT  
TO 28 U.S.C. § 1782

**FILED**

AUG 22 2019

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

**VKD**

**CV-19 80208 MISC**


1 Holdings stating that the request should be sent to a system for law enforcement submissions. A true  
 2 and correct copy of this e-mail is attached to my declaration as Exhibit 3. After reviewing the e-mail, I  
 3 believed that Oath Holdings had misconstrued the request, perhaps thinking I was an AUSA in the  
 4 criminal division seeking information for a criminal matter. On August 15, 2019, I sent an e-mail to  
 5 both the legal process e-mail for Oath Holdings and the law enforcement inquires e-mail for Oath  
 6 Holdings ([lawenforcement-inquiries@verizonmedia.com](mailto:lawenforcement-inquiries@verizonmedia.com)) enclosing an August 15, 2019 letter in which I  
 7 clarified that I am a Civil, not Criminal, AUSA, and that the Swiss litigation is a civil and not criminal  
 8 matter. A true and correct copy of my e-mail and letter are attached as Exhibit 4 to my declaration.

9 5. Later in the day on August 15, 2019, I received a response from Oath Holdings stating:  
 10 "Greetings, You will need a subpoena. Oath Holdings Inc. ("Oath") (formerly Yahoo Holdings, Inc.)  
 11 accepts service of valid legal process via one of the means below." The e-mail provides an address in  
 12 Sunnyvale, California for Oath Holdings and states service by Federal Express or Certified Mail would  
 13 be acceptable. A true and correct copy of this e-mail is attached as Exhibit 5 to my declaration.

14 6. Attached as Exhibit 6 to my declaration is the form of subpoena I plan to serve on Oath  
 15 Holdings if the Court signs the accompanying proposed order. I would need to add the case number and  
 16 sign the subpoena, and I would give Oath Holdings at least 30 days to respond to the subpoena. The  
 17 subpoena is not requesting the content of any e-mail communication from Oath Holdings.

18 I declare under penalty of perjury that the foregoing is true to the best of my knowledge and  
 19 belief. Executed on August 22, 2019, at San Jose, California.

20 By:

  
 21 MICHAEL T. PYLE